Florence, New Jersey 08518-2323
December 2, 2024

The Regular meeting of the Florence Township Board of Adjustment was held on the above date at the Municipal Complex, 711 Broad Street, Florence, NJ. Chairman Puccio called the meeting to order at 7:30 p.m. followed by a salute to the flag.

Chairman Puccio read the following statement: "I would like to announce that this meeting is being held in accordance with the provisions of the Open Public Meetings Act. Adequate notice has been provided to the official newspapers and posted in the main hall of the Municipal Complex."

Upon roll call the following members were found to be present:

Brett Buddenbaum	James Fevola
Anant Patel	Charles Wible
Dennis Puccio	Lou Sovak
Daniel Studzinksi	Gina Sullivan
Kevin Minton	
Absent:	None
Also Present:	Solicitor David Frank
	Planner Edward Fox
	Engineer Doughtery

MINUTES

It was the Motion of Mr. Wible, seconded by Mr. Patel to adopt the minutes from the regular meeting and the closed session that was held on November 7, 2024. Motion unanimously approved by all members present.

RESOLUTIONS

A. Resolution ZB-2024-22: Memorialization of Approval of Hatica and Ugur Evci 620 Seaman Dr Block 156.09 Lot 12 for impervious coverage to install concrete surround for inground pool

It was the Motion of Mr. Buddenbaum, seconded by Mr. Patel to approve Resolution ZB-2024-22.

Upon roll call, the Board voted as follows:

YEAS: Buddenbaum, Patel, Sovak, Studzinski, Sullivan, Wible, Puccio
NOES: None

APPLICATIONS

A. ZB#2024-14: Application from The Reginald Lewis Group for Preliminary and Final Major Subdivision on property located at 316 West Third St Florence Block 38, Lot 3

Mr. Jonas Singer is representing the applicant. He stated that this is an application for a subdivision on which two additional lots will be created. It required a D5 density variance as well as side yard setback and lot size variances.

The applicant, William Holly, engineer Laurence Murphy, and Planner James Miller were sworn in by Solicitor Frank.

Mr. Holly is a managing member of the Reginald Lewis Group which was established in 2006 and it has 7 employees. Mr. Holly's company develops and redevelops homes. The total number of properties that the company has rehabbed is just under 2,000 and they have worked in 16 municipalities throughout the state. The company currently owns the property at 316 West Third Street and already updated the existing home on the property which was in poor condition. He intends to subdivide the property to create two additional homes.

Mr. Murphy is a licensed engineer in the state of NJ. He graduated from Rutgers and qualifies for other towns as an expert witness. The Board accepted Mr. Murphy as a witness. Mr. Murphy prepared the plans for the subdivision. There is an existing house on the property with an alley behind it. There are multiple detached accessory buildings on the lot which will be demolished. The property will then be divided into 2 additional lots, which will be 50' wide and 100' deep which totals 5,000sf. The proposed homes will match the neighborhood front yard setbacks to keep the front yards consistent to the existing homes on West Third St.

The plan for parking is to have two parking spaces in driveways located behind the homes in the alleyway in lieu of driveways in the front of the homes or parking on the street. There will be a walkway from the public sidewalk that leads to the front of the homes as well.

There are several variances needed for the proposed plan. The proposed lot size is 5,000sf and the required lot size in the zone is 10,000sf. There is also a requirement of 100ft wide frontage, where the proposed width is 50ft. Both proposed lots will require an impervious coverage variance for 34% impervious for lots 3.02 and 3.03 where 20% for the home and driveway is allowed. A variance is also needed for a side yard and front yard setbacks. The rear yard setbacks are being met on all lots. There is also a gross density variance needed for the project.

Engineer Doughtery went over some submission items that requested a waiver as well as requested a water and sewer agreement with the township. With all that, Engineer Dougherty said he would deem the application complete. The Board unanimously approved that the application is complete based on Engineer Doughtery's assessment.

The architect, Mr. Benedetto Catarinicchia, works for ZACs International. He designed the homes with an open floor plan on the first floor and 3 bedrooms with master suite on the second floor. The homes also have a basement where the utilities will be located. The style and elevation will match the neighboring homes. The homes will also have front porches and have vinyl siding.

The setbacks are based on the homes being 24 feet wide as opposed to 20 feet wide like the plan shows. The architect would prefer that the homes be 24 feet wide, as that opens it up a little more than if they were 20 feet.

Mr. Fevola asked if the homes will be centered on the lots. Mr. Murphy said right now, one side is 15 feet and the other side is 11 feet from the property line. There is no issue to center them if the board prefers, but the thought was to give some extra space between the homes.

Planner James Miller showed exhibit A-1 which is a tax map of the property. Mr. Miller has been out to the site as well as researched the zoning regulations in the zone. The property is located in the RA zone which requires a density of 4 units per acre and a 10,000sf lot size. There are a variety of different dwellings on West Third Street which includes 8 semi-detached dwellings, which is a "twin" that has two homes connected by one wall. There are also 8 single family detached homes. Five of the seven lots to the north are also non-conforming. There are also several lots that are 50 feet wide in this area of West Third Street. There are two conforming lots on the end of West Third Street.

The applicant is seeking relief to allow an overall density of 8.71 units per acre, the ordinance only allows for 4 units per acre. This variance has to do with the intensity of the use. This area of homes in the zone have similarities to each other and uniform but are at odds with the zone. Mr. Miller said this would be a more efficient use of the land that would otherwise be provided by the underlying zoning. The proposed development is consistent with the current development and appropriate to the location. When the area was originally developed, it appears that the properties were divided into 50ft x 100ft lots and the densities range from 5 units to 8 units per acre. This pattern is seen throughout this area. There are 154 residential lots in the 9-block area. Only sixteen of the lots meet the minimum requirements of the 100ft x 100ft lot size. Based on this and the character of the area, and the subdivision patterns, this application is particularly suited for the area.

The primary potential impact on the neighborhood with this type of development is parking. Without access to the alley, there is potential for street parking. The proposed parking will be in the alley. Mr. Miller said there is no detrimental impact that would increase the density in that case.

Mr. Miller said the lot size and home size are comparable to the other homes in the area when asked by Mr. Studzinski. Mr. Minton asked if alley parking is consistent with the other homes in the area. Mr. Miller said the alley appears to be used daily and it is not overgrown and is in good shape. Mr. Buddenbaum said the alleys are typically only used for the garbage truck. Mr. Miller agreed that the alley would not be for parking, but a parking pad would be created off the alley.

Solicitor Frank said the area needs to be looked at closer to see if other homes are using the alley to park their vehicles. Mr. Miller said that there are not many parking areas off the alley but there are garages and they have stones. Mr. Buddenbaum added that currently the alleys aren't used as heavily as proposed here in this application. Chairman Puccio added that the alleys are not maintained if it were to snow.

Engineer Dougherty said the other homes in the area have pools and sheds and other amenities are located in the backyards but he doesn't see any parking located behind the other homes. Mr. Buddenbaum said that the issue is that the alleys are not used every day, multiple times a day currently. Mr. Miller said the alleys have the capacity to be used that way.

Chairman Puccio said with the total 9 bedrooms in the existing and proposed homes that would require 6 parking spaces. The alley is not paved and will not be paved because there are utilities located in the alleys. Mr. Miller said he thinks that this enhances the streetscape. Solicitor Frank said this alley is unlike alleys that are designed to be "back streets" that are wider with pavement and curbing. The alley behind this property is a service alley. Planner Fox added that it's 3 dwellings with an average of 10 trips in and out per day, and the question will be who is responsible to maintain the alley. In a snow event, they alleys are not plowed and the cars might be forced to park in front on the street if the alley is inaccessible.

Mr. Minton also pointed out that vehicles traveling through the alley, as opposed to the scheduled garbage pickup days, are not expected. There are residents and children in the backyards and it is not usual for cars to be traveling in the alley for privacy reasons.

Mr. Buddenbaum said the issue isn't keeping cars off the street, the issue is the way in which to keep them off the street parking. Mr. Minton added that the alley is not intended to be a highly traveled roadway.

Mr. Miller said that if the board prefers to have driveways with a garage in the front, that can be done as well. He said the home can be moved back 25' to accommodate the driveway and the garage.

Mr. Murphy said they are 2 shade trees that will be removed and they will be replaced by 3 trees elsewhere on the properties as required by the ordinance.

The applicant also agrees to comply with the Affordable housing requirements should this application be approved.

Engineer Dougherty said this subdivision is exempt from site plan approval according to the Municipal Land Use Law. With a minor subdivision, the stormwater requirements don't apply. However, the board can ask for green infrastructure when the impervious cover is exceeded. The ordinance allows for 20% impervious cover for the home and driveway in the RA Zone. What is being proposed already exceeds this. If a resident purchases the home and would like to add an accessory like a pool or shed, they would be required to come back to the Zoning Board for a variance. If the RB (medium to high density residential district) standard applies, it is still over for impervious cover.

Planner Fox said that if the homes were 20' wide, there would be no need for a side yard variance and that would also bring the impervious coverage down to about 28%.

Mr. Sovak asked if the run off goes out to West Third Street or to the alley. If it goes to the alley, he added, that with a driveway in the back and the unmaintained alley, it would end up a mess. Engineer Dougherty said that there is no grading plan but a proposed swale that goes to Third Street. He said there is some flow that goes out to the alley.

Engineer Dougherty said we are creating potential variances for the three lots which further exceeds the variances. He asked if the applicant had considered two lots instead of three. At one point, there was a plan for a twin home on one lot.

Mr. Singer said that the Planner had testified that the lots are in conformance with the other lots in the neighborhood. The applicant is not proposing pools or sheds. Solicitor Frank said that the board hears several applications for impervious coverage in these zones. Mr. Singer added that the zoning ordinance is not in conformance with what is actually in the zone. Solicitor Frank said that the Board doesn't create the policies; the Board hears the applications and makes decisions based on whether or not they meet or don't meet the legal standards.

Solicitor Frank said that the board is pretty clear that the alley is not a road. In that case, there will be two parking spots added on the street which takes parking from the current residents. Mr. Miller said the street is wide in this area and has a liberal amount of parking for this development. Also, the drainage in this area will be updated with green infrastructure which the existing area does not have so it might improve the drainage. If the impacts to the area are being mitigated, then that should meet the standards. Engineer Dougherty said that the green infrastructure he is referring to is the mitigation for exceeding the impervious coverage.

The RA zone does require a 10,000sf lot, but the RB medium density only requires a 6000sf lot and allows for 33% coverage. If the lot were divided into two lots, the two lots would be consistent with that ordinance at 7500sf/each.

At this time, it is not proposed to have fence between the two new homes.

Mr. Buddenbaum asked if there was any thought to creating a townhome, or twin home, instead of 2 separate homes. It seems like there would be larger outdoor space in that case. Solicitor Frank said that the proposal is for the two homes, so at this time that is what the board is hearing, but the applicant is here listening to all the options and opinions. At this time, the board cannot give an advisory opinion to the applicant.

A Motion was made by Mr. Patel and seconded by Mr. Buddenbaum to open the application to public comment. Motion unanimously approved by all members present.

Samantha Gordon, 312 West Third Street: Ms. Gordon lives next to the property and opposes this project. When the previous owner of 316 West Third passed away, the home was remodeled by the applicant. Work was being started before it was allowed and ended after it was allowed according to the township noise ordinance. While work was going on, the workers left the doors open and unlocked. She also added that no one on that street uses the alley for any kind of driving or parking. Her home does have a paved carport in the back but she doesn't use it for parking. She feels like the paved driveways behind the homes will be used for parties, and recreational use creating more noise. Ms. Gordon also said there are already so many cars parked on the street that causes issues. And adding 9 more cars would create more of a problem for the street. The alley is used for a walkway for kids coming home from school as well. Ms. Gordon said that a lot of the homes keep their yards nice and having the alley act as a street would be disruptive.

Danielle Holly 507 Wolfe Drive: Ms. Holly is related to the managing partner of the Reginald Lewis Group. Ms. Holly said the Reginald Lewis Group is a very reputable company. She said that they hire wonderful contractors who take pride in their work. As contractors, they are required to clean up the area so that it compliments the neighborhood. A contractor that works for the Reginald Lewis Group would also not be playing loud music. Ms. Holly visited the property around 7pm tonight and noticed that there are several open parking spaces on the street.

She also understands that some residents are used to living on the street with an empty lot so it will seem like a change. Ms. Holly said that she would love to provide housing for people to move to Florence. She has been a resident for quite some time and her and her family all love living here. She wants to give the opportunity to others to live in the town and that neighborhood.

Tom Sahol: 711 Broad Street. Mr. Sahol is the Township Administrator. Mr. Sahol wants to clear up some information. It was mentioned that a swale would be created to go out to West Third Street from the property. He wanted to caution that swales are shown to contribute to icy sidewalk conditions. He also added that stormwater management and green infrastructure should be a condition of approval. And there might need to be a deed restriction regarding the green infrastructure and stormwater management. For the alley, it is not a principal roadway. They are there for utility and services purposes such as water & sewer and trash collection. The alleys will never be paved and they are not maintained in the snow. Mr. Sahol wanted to make sure the board had this information before any decisions were made.

Mr. Singer said during the five minute break, he had the opportunity to speak to his clients and the professionals and they are requesting another meeting to come back with some more options for the board to consider.

A Motion was made by Mr. Buddenbaum and seconded by Mr. Fevola to continue the hearing to February 3, 2025 with notice. Motion unanimously approved by all members present.

OTHER BUSINESS

Solicitor Frank said that at the last Planning Board meeting there were several loud inappropriate disruptions on Zoom. The Board will need to decide how or if to continue streaming the meetings online. The Council meetings only allow for viewing of the meeting and the only way to participate in a meeting is to physically be in the room. This is also how the Planning Board decided to run their meetings starting in the new year. Chairman Puccio's only concern is if someone from the public wanted to come make comment, and they were unable to get to the meeting due to transportation issues or health issues. Solicitor Frank said that we can make that a case-by-case basis. He also added that having applicants appear on Zoom, is not optimal. It is sometimes hard to see exhibits or hear them. Pre-Covid, if someone was sick or unable attend a meeting, they didn't come to it. That is why we have alternates. Also the physical layout of the meeting so that it can be captured on Zoom, is not ideal for the board professionals in the meeting. The Board decided to have the meetings streamed to view only. If a resident/member of the public wants to voice concerns, they will need to attend the meeting in person. They are also able to reach out to the Board Clerk to make special arrangements on an as needed basis.

ADJOURNMENT

It was the Motion of Mr. Buddenbaum, seconded by Mr. Fevola to adjourn the meeting at 9:49PM. Motion unanimously approved by all members present.

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Gina Sullivan, Secretary

GS/amh